

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)

CRIMINAL NO.04-CR10166(RGS)

V.)

FILED UNDER SEAL

DAVID CARL ARNDT)

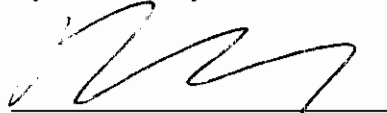
AND)

DONALD BING MCGILVRAY)

MOTION TO FILE UNDER SEAL

Now comes the Defendant and moves this court to file the attached Sentencing Memorandum of Donald McGilvary under seal. In support thereof, the Defendant says that the confidential nature of the Memorandum makes it appropriate for filing under seal.

Respectfully submitted,
Defendant, Donald Bing McGilvary
By his attorney



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